

IDAHO DEPARTMENT OF AGRICULTURE
ANIMAL INDUSTRIES DIVISION
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(208) 332-8540

ANIMAL INDUSTRIES INVESTIGATION REPORT

NAME, ADDRESS OF ALLEGED COMPLAINT Owyhee Dairy Dave Williams 3677 Market Road 208-989-3583 Phone Homedale, ID 83628		DATE/TIME RECEIVED: 8:15 5/21/2019 COMPLAINT #: COUNTY: Owyhee TYPE OF COMPLAINT <input type="radio"/> ANIMAL CARE <input type="radio"/> DEAD ANIMALS <input type="radio"/> ODOR <input checked="" type="radio"/> MISCELLANEOUS
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Remarks Continued:

Producers house, Mr. Williams walked Inspector Montague toward the silage pit and commodity storage and said he had it contained and it was evident that there was not runoff coming from the silage pit yesterday. Mr. Montague showed Mr. Williams where effluent was coming from the previous day and informed him it may have been from commodity storage area and not directly from the silage pit, but regardless it was full of nutrients and possibly contaminated with facility byproduct and was flowing into Town Ditch. Inspector Montague explained that although she did not see an active discharge currently coming from behind the southeast corrals, the gravel, dirt, and some manure mixed in was not adequate berming to protect the potential runoff from the corrals from going into Town Ditch again. Mr. Williams said he did not have access to dirt and used what he had available in an emergency situation. Inspector Montague informed Mr. Williams that she would get back to him on a compliance date to get a proper 4 foot high 300 PSI compaction berm around all corrals to ensure no runoff would go into the ditches, but in the meantime it was his responsibility to keep all runoff contained on site and out of the water ways. At approximately 7:39 AM Inspector Montague headed back to the north ditch just north of the corrals to continue her investigation. At approximately 7:48 AM Inspector Montague noticed a different pipe coming from under the corrals into the ditch without a cap covering the pipe head. Effluent was actively discharging into the ditch. Inspector Montague took samples from the pipe head and called Mr. Williams to inform him of her findings but got his voice mail and left a message about what was observed and to contact her ASAP. Samples were labeled Owyhee Dairy lower corral pipe discharge. Shortly after Mr. Williams pulled up beside Inspector Montague and when he was asked why there was no cap cover and what that pipe was for he hesitated in giving an answer. Mr. Williams said he was not aware that the pipe was replaced and did not know why it was uncapped. When Inspector Montague asked Mr. Williams where the pipe goes he pointed southwest. He then stated this ditch is always wet because of the springs located over there (pointing southwest). Inspector Montague asked again why effluent was coming out of the pipe and where the other end of the pipe was located. Mr. Williams said he couldn't imagine the corrals leaking effluent to the pipe and wasn't sure why effluent was coming out of the pipe. Inspector Montague informed Mr. Williams that this was a continuation of a discharge and he needed to stop the discharge immediately and she would be back the next day to investigate. Mr. Williams said he would stop the discharge. Inspector Montague wrote up a written inspection explaining the continuation of a discharge and the compliance date to have it fixed immediately and that she would be back the following day. At approximately 8:11 AM Inspector Montague handed Mr. Williams the inspection report and left the facility. At approximately 8:12 AM Inspector Montague pulled over on the side of Market Road (b) (6), (b) (7)(C), (b) (7)(D)

(b) (6), (b) (7)(C), (b) (7)(D)

At approximately 9:27 AM Inspector Montague talked with Complainant about observations made at Owyhee Dairy and gave him contact information for Tyler Fortunati at DEQ (b) (6), (b) (7)(C), (b) (7)(D)

(b) Inspector Montague ended the conversation at approximately 9:35 AM.

(6)

At approximately 3:58 PM Inspector Montague called Producer Dave Williams to discuss compliance date of when the adequate berming needed to be in place around the corrals and the bank of the ditches bordering the facility both on the North/Northwest and Southeast side of facility to protect corral runoff from flowing into the ditches. Mr. Williams said he thought it was unreasonable to get that much dirt to build a berming around his facility. Inspector Montague clarified that it was his priority to stop the discharge and he needed the berming between the corrals and the bank of the ditch to prevent any potential runoff from leaving the facility and she would be back on May 23, 2019 to make sure the discharge has been stopped and adequate berming was in place to contain all runoff from leaving the facility. Mr Williams again stated that it was not reasonable for him to get berming in place as suggested. Inspector Montague stated she would talk to her supervisors and get their input on a reasonable compliance date for the adequate berming to be in place, but that she strongly felt like it was necessary to have the adequate berming in place between the corrals and bank ditch to prevent runoff from entering the ditch if heavy rain hit the facility again. Conversation was ended at approximately 4:04 PM.

At approximately 4:19 PM Inspector Montague called Producer Dave Williams and confirmed that her and her supervisors agreed that it was imperative to have adequate soil berming compacted to 300 PSI at least four feet high along the North and Northwest side of the facility between the corrals and bank of the ditch and two feet of the same berming requirements in place along the Southeast side of the facility between the corrals and the bank of the ditch. His first priority being to stop the discharge, then to focus on getting berming in place where discussed and when the Southeast side of the facility berming was two feet high he would focus on increasing it to four feet high. Inspector Montague explained to Mr. Williams that it was his responsibility to contain all facility runoff on site avoiding runoff from leaving the facility especially into waterways and that he had all year to get the proper berming in place. Inspector Montague asked Mr. Williams if that was all clear and if he had questions and at approximately 4:20 PM Mr. Williams hung up and abruptly ended the conversation.

INSPECTOR SIGNATURE

Emily Montague

Date:

05/24/2019